

Minutes of the
South Dakota State Emergency Response Commission Meeting
Conducted via the Digital Dakota Network

State Capitol Building
Pierre, SD

South Dakota State University
Brookings, SD

SD School of Mines and Technology
Rapid City, SD

Dakota State University
Madison, SD

January 28, 2008
11:00 a.m. CST

CALL TO ORDER AND ROLL CALL: Chairman Robert McGrath called the meeting to order.

COMMISSION MEMBERS PRESENT: Robert McGrath, Joe Nadenicek, Barb Telkamp, Al Christie, Doug Hinkle, Mike Carter, Jerry Johnson, John Forman and Lisa Simpson.

COMMISSION MEMBERS ABSENT: Andrew Canham.

OTHERS PRESENT: See attached attendance sheets.

INTRODUCTIONS: Participants at the DDN sites introduced themselves.

APPROVAL OF MINUTES FROM SEPTEMBER 11, 2007, MEETING: Motion by Turman, seconded by Carter, to approve the minutes from the September 11, 2007, State Emergency Response Commission meeting. Motion carried.

TIER II UPDATE: Trish Kindt reported that the compliance workshops were held January 11 and 14, 2008 via the Digital Dakota Network (DDN) at various locations throughout the state. Ms. Kindt had planned to conduct the workshops on-site in the Hills and in Sioux Falls, but due to scheduling conflicts she was unable to get to the DDN sites this year. Attendance at the workshops was low again this year, however interaction among the attendees was better than in prior years.

Ms. Kindt reported that every year facilities submit Tier II forms detailing their bulk chemical storage and hazardous materials storage. On December 28, 2007, the department sent about 1,600 forms to facilities, and 431 of the forms have been returned. To date \$9,700 in fees has been paid. The Tier II forms are due by March 1.

2008 LEPC GRANTS: Ms. Kindt reported that \$94,709.42 is available for LEPC grants this year. Individual grant amounts will be determined by a distribution formula. The first \$16,500 will be divided equally among the LEPCs that apply for and qualify for a grant. The remainder of the grant funds are distributed among the qualifying LEPCs based on the number of facilities that paid Tier II fees for the reporting year from which the grant is funded.

Ms. Kindt provided the commission with a list of the 41 LEPCs that submitted grant applications by the December 31, 2007, deadline. She recommended no grant funding for Gregory County LEPC because it is not an active LEPC. Butte County LEPC submitted its application after the deadline, so it cannot be considered for funding.

Motion by Simpson, seconded by Carter, to award grants to the following LEPCs: Beadle, Bon Homme, Brookings, Brown, Brule/Buffalo, Central SD, Charles Mix, Clay, Codington, Custer, Davison, Day, Deuel, Douglas, Edmunds, Fall River, Faulk, Grant, Haakon, Hamlin, Hand, Hanson, Hyde, Jones, Kingsbury, Lake, Lawrence, McPherson, Mellette, Miner, Minnehaha, Pennington, Perkins, Potter, Spink, Tripp, Union, War Hawk, and Yankton. A roll call vote was taken, and the motion carried unanimously.

2008 LEGISLATIVE UPDATE: Joe Nadenicek and Kristi Turman discussed the following bills that were introduced during the 2008 legislative session:

SB 11 – An act to revise certain provisions regarding corrosion protection for tank piping systems and above ground tanks containing flammable or combustible liquids and used in retain motor fuel dispensing operations.

SB 12 – An act to update certain provisions pertaining to motor carrier safety and transportation of hazardous materials.

SB 30 – An act to revise the minimum fire safety standards for specialty resorts.

SB 43 – An act to revise the requirements regarding the siting of energy facilities.

SB 66 – An act to provide for the awarding of matching grants to certain fire departments and to increase the fire insurance premium tax.

SB 121 – An act to revise the definition of trans-state transmission facility.

SB 138 – An act to require financial assurances for certain petroleum pipeline operations for the remediation of potential environmental damage and to declare an emergency.

SB 139 - An act to revise the definition of authorized emergency vehicles.

SB 143 – An act to revise certain provisions regarding collection and administration of the 911 emergency surcharge and operation of 911 services.

SB 190 – An act to impose a fee on certain pipelines carrying crude oil and to create a crude oil pipeline compensation fund that may be used in the event of a crude oil spill.

SB 200 – An act to establish a statewide trauma system.

CERCLA GRANT SUMMARY: Doug Hinkle, Office of Emergency Management (OEM), introduced Bob Van Winsen who is the new OEM HazMat coordinator for the state.

Mr. Hinkle reported that no CERCLA funding was available in FFY 2006. The FFY 2007 application package was submitted to EPA and the state received \$20,000. The CERCLA grant funds will be used for HazMat-related training and planning. To date, \$1,019.92 of the CERCLA grant was used to send Bob McDonald, DENR, to the Regional Response Team meeting in Denver, CO.

Chairman McGrath asked what the deadline is for spending the CERCLA grant. Mr. Hinkle stated that it is a two-year grant. He will determine the deadline for spending the money and report back to the SERC at its April 28 meeting.

HMEP TRAINING AND PLANNING REPORT: Mr. Hinkle provided a summary of the training and planning activities that have been completed since January 1, 2007. He also discussed FFY 2007 projected training and planning activities.

HMEP GRANTS: Mr. Hinkle discussed the final budget for FFY 2006. The HMEP planning grant was \$49,566 with \$48,000 being obligated and \$44,000 being spent. The HMEP training grant was \$78,890 with \$77,510 being obligated and \$77,4124 being spent.

Mr. Hinkle noted that \$100,000 was received from Homeland Security to assist with HMEP training and \$78,962.73 was spent. The remaining amount of the FFY 2006 Homeland Security training funds are proposed to be used for Hazardous Material-related training at the 2008 State Fire School. Agreements are being arranged through the Fire Marshal's Office and the Office of Emergency Management Hazardous Material Program Manager. This would use up the remaining FFY 2006 funds.

Mr. Hinkle discussed the budget for FFY 2007. The HMEP planning grant amount is \$49,566 and \$47,800 has been obligated. The HMEP training grant amount is \$77,414 and the whole amount has been obligated.

The Homeland Security grant was \$109,986 and to date \$84,669.29 has been obligated.

For FFY 2007, a 70% increase in both HMEP planning and training grants was scheduled, but the funding was not available, so the funding stayed the same as last year. Hazardous material sub-grant packages continue to come in.

Mr. Hinkle noted that the deadline to spend the FFY 2007 HMEP grant funds is September 1, 2008.

REGIONAL HAZMAT TEAM UPDATE: Mr. Hinkle reported that nothing has changed since the last SERC meeting.

Chairman McGrath asked that this matter be placed on the agenda for the April 28, 2008, SERC meeting.

OTHER BUSINESS: The next SERC meeting will be held on April 28, 2008, at 1:00 p.m. CDT at the Emergency Operations Center in Pierre.

ADJOURN: Chairman McGrath declared the meeting adjourned.

Robert B. McGrath 4/28/08
Chairman Date

Witness Joe Padernik Date 4/28/08

ATTENDANCE SHEET

STATE EMERGENCY RESPONSE COMMISSION MEETING

CONDUCTED VIA THE DIGITAL DAKOTA NETWORK

JANUARY 28, 2008

STATE CAPITOL BUILDING
PIERRE

NAME (PLEASE PRINT)

ADDRESS

REPRESENTING

ALLEN CHRISTIE

118 W Capitol

SFMO

JOE NAIDENICEK

523 E Capitol Ave

DENR

Doug Hinkle

118 W Capitol

OEM

Bob Van Wensen

118 W. Capitol

OEM

Trish Knott

523 E Capitol Ave

DENR

Kristi Turman

118 West Capitol

OEM

John Fennel

104 S. Garfield

DOT

ATTENDANCE SHEET

STATE EMERGENCY RESPONSE COMMISSION MEETING

CONDUCTED VIA THE DIGITAL DAKOTA NETWORK

JANUARY 28, 2008

SOUTH DAKOTA STATE UNIVERSITY
BROOKINGS

NAME (PLEASE PRINT)

ADDRESS

REPRESENTING

Bob McGrath

Brookings

SERC

Barb Telkamp

Brookings

SERC

Lisa Simpson

Clear Lake

SERC

ATTENDANCE SHEET

STATE EMERGENCY RESPONSE COMMISSION MEETING

CONDUCTED VIA THE DIGITAL DAKOTA NETWORK

JANUARY 28, 2008

DAKOTA STATE UNIVERSITY
MADISON

NAME (PLEASE PRINT)

ADDRESS

REPRESENTING

Jerry Johnson

Madison

SERC

Don Thomsen

Madison

Lake County E.M.

ATTENDANCE SHEET

STATE EMERGENCY RESPONSE COMMISSION MEETING

CONDUCTED VIA THE DIGITAL DAKOTA NETWORK

JANUARY 28, 2008

S.D. SCHOOL OF MINES & TECHNOLOGY
RAPID CITY, SD

NAME (PLEASE PRINT)

ADDRESS

REPRESENTING

Mike Carter

Custer

SERC